

JUDGE LEISURE**ECF CASE**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

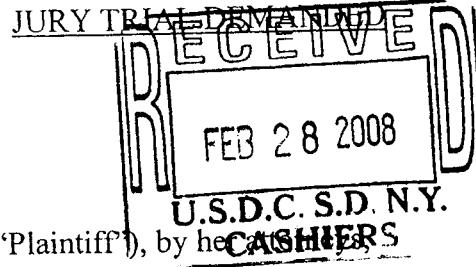
ISABEL BERMUDEZ,

Plaintiffs,

- against -

MEMORIAL HOSPITAL FOR CANCER
AND ALLIED DISEASES

Defendant.

x
08 08-CV-
COMPLAINT 01977
(PKL)(HP)

Plaintiff, ISABEL BERMUDEZ, (hereinafter "Plaintiff"), by her attorney,

TRIEF & OLK, as and for her Complaint against the defendant, MEMORIAL

HOSPITAL FOR CANCER AND ALLIED DISEASES (hereinafter "defendant"),

alleges at all material times as follows:

1. At all relevant times, Plaintiff was a resident of the State of New Jersey.
2. Defendant is a domestic not-for-profit corporation incorporated in the state of New York and its principal place of business is located in the Southern District.
3. Defendant owns, operates, and controls Memorial Sloane-Kettering Cancer Center located at 1275 York Avenue, New York, NY.
4. Defendant is subject to personal jurisdiction in the Southern District of New York.
5. The matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs.
6. Jurisdiction of this action is based on 28 U.S.C. § 1332.

7. Venue in this district is proper pursuant to 28 U.S.C. § 1391(a) because Defendant has its principal place of business in the Southern District of New York.

8. Venue in this district is proper pursuant to 28 U.S.C. § 1391(a) because a substantial part of the events or omissions giving rise to the claim occurred in the Southern District of New York.

AS AND FOR PLAINTIFF'S CLAIM FOR RELIEF
AGAINST THE DEFENDANT

9. On November 20, 2007, plaintiff was in the 9th floor waiting area at the Claire Tow Pediatric Pavilion at Memorial Sloane-Kettering Cancer Center at 1275 York Avenue, New York, New York.

10. Plaintiff was severely injured when she tripped and fell on a small cube-shaped object that was on the floor in the waiting area.

11. The cube-shaped object was owned and/or controlled by the defendant.

12. Upon information and belief, the defendant had prior notice that the cube-shaped object was located in the area where plaintiff was injured.

13. The cube-shaped object posed a dangerous and unsafe condition for patients and guests of the hospital who were in the waiting area.

13. Defendant was negligent.

14. Plaintiff's severe injuries were caused by defendant's negligence.

WHEREFORE, the Plaintiff demands judgment against the Defendants for compensatory damages, together with interest, costs and disbursements as provided by law.

Plaintiff demands a trial by jury on all counts.

Dated: New York, New York
February 27, 2008

TRIEF & OLK



By:

Eric Dinnocenzo (ED 3430)

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